



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 22 2002

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In re the application of: Carl H. June et al.

Group Art Unit: 1632

Serial No.: 09/707,087

Examiner:

Filed: November 6, 2000

For: *Methods for Modulating T Cell Survival by
Modulating BCL-X_L Protein Level*

Attorney Docket No.: RPI-034CPCN

Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

March 14, 2002
Date of Signature and of Mail Deposit

By:

DeAnn F. Smith
Registration No. 36,683
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

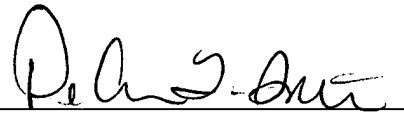
Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A copy of each cited publication is enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be

construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



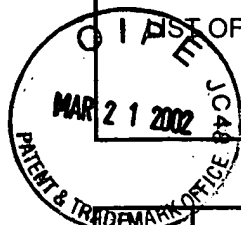
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GAD/AEM/DFS/EFW/alf
Enclosures

APPLICANT FACSIMILE OF FORM PTO-1449 REV 7-80	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO RPI-034CPCN	SERIAL NO. 09/707,087
LIST OF PUBLICATIONS CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT Carl H. June et al.	GROUP 1632
		FILING DATE November 6, 2000	



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,399,346	03/95	Anderson et al.	424	93.21
	A2	6,143,291	11/00	June et al.	424	93.21

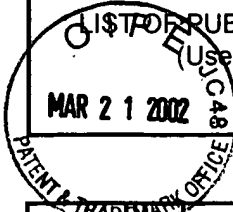
FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
A3	WO 95/00642 A1	01/95	PCT		

OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

A4	Axelrod, J.H. et al., "Phenotypic correction of factor IX deficiency in skin fibroblasts of hemophilic dogs," <i>PNAS USA</i> 1990 Jul;87(13):5173-7	
A5	Boise, L.H. et al., "CD28 costimulation can promote T cell survival by enhancing the expression of Bcl-x _L ," <i>Immunity</i> 1995 Jul;3(1):87-98	
A6	Cory, S., "Regulation of lymphocyte survival by the BCL-2 gene family," <i>Annu. Rev. Immunol.</i> 1995;13:513-43	
A7	Crystal, R.G., "Transfer of genes to humans: Early lessons and obstacles to success," <i>Science</i> 1995 Oct;270:404-10	
A8	Culver, K.W. et al., "Gene therapy for cancer," <i>TIG</i> 1994 May;10(5):173-178	
A9	Drumm, M.L. et al., "Correction of the cystic fibrosis defect in vitro by retrovirus-mediated gene transfer," <i>Cell</i> 1990;62:1227-33	
A10	Fang, W. et al., "Cloning and molecular characterization of mouse bcl-x in B and T lymphocytes," <i>J. Immunol.</i> 1994;153:4388-98	
A11	Fink, J.K. et al., "Correction of glucocerebrosidase deficiency after retroviral-mediated gene transfer into hematopoietic progenitor cells from patients with Gaucher disease," <i>PNAS USA</i> 1990 Mar;87:2334-38	
A12	Gonzales-Garcia, M. et al., "Bcl-x _L is the major bcl-x mRNA form expressed during murine development and its product localizes to mitochondria," <i>Develop.</i> 1994;120:3033-42	
A13	Gottschalk, A.R. et al., "Identification of immunosuppressant-induced apoptosis in a murine B-cell line and its prevention by bcl-x but not bcl-2," <i>PNAS USA</i> 1994 Jul;91:7350-54	
A14	Lowenthal, J.W. et al., "Activation of mouse lymphocytes inhibits induction of rapid cell death by x-irradiation," <i>J. Immunol.</i> 1985;135(2):1119-1125	
A15	Marshall, E., "Gene therapy's growing pains," <i>Science</i> 1995 Aug;269:1050-55	
A16	Martin, J.S. et al., "Apoptosis and cancer: the failure of controls on cell death and cell survival," <i>Crit. Rev. Oncol./Hematol.</i> 1995;18:137-53	
Examiner		Date Considered
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

B1	Michaud, G. et al., "Expression of bcl-x in t-cell ontogeny," <i>Blood</i> 1994;84(10):286a, abstr. 1129
B2	Miller, A.D. et al., "A transmissible retrovirus expressing human hypoxanthine phosphoribosyltransferase (HPRT): gene transfer into cells obtained from humans deficient in HPRT," <i>PNAS USA</i> 1983 Aug;80:4709-13
B3	Miller, N. et al., "Targeted vectors for gene therapy," <i>FASEB</i> 1995;9:190-99
B4	Núñez, G. et al., "Bcl-2 and bcl-x: regulatory switches for lymphoid death and survival," <i>Immunol. Today</i> 1994;15(12):582-88
B5	Núñez, G. et al., "BCL-x, a dominant regulator of apoptotic cell death," <i>FASEB J.</i> 1994; 8(5):A807, abstr. 4678
B6	Osborne, B.A., "Induction of genes during apoptosis: examples from the immune system," <i>Seminars in Cancer Biol.</i> 1995;6:27-33
B7	Palmer, T.D. et al., "Efficient retrovirus-mediated transfer and expression of a human adenosine deaminase gene in diploid skin fibroblasts from an adenosine deaminase-deficient human," <i>PNAS USA</i> 1986 Feb;84:1055-9
B8	Randall, T., "First gene therapy for inherited hypercholesterolemia a partial success," <i>JAMA</i> 1993 Feb;269(7):837-8
B9	Savill, J., "Apoptosis in disease," <i>Eur. J. Clin. Invest.</i> 1994;24:715-23
B10	Sorge, J. et al., "Complete correction of the enzymatic defect of type I Gaucher disease fibroblasts by retroviral-mediated gene transfer," <i>PNAS USA</i> 1987 Feb;84:906-9
B11	Yang, E. et al., "Bad, a new bcl-2 family member, heterodimerizes with bcl-2 and bcl-x _i in vivo, and promotes cell death," <i>Blood</i> 1994 Nov;84(10):373a, abstr. 1476
B12	Yang, E. et al., "Bad, a heterodimeric partner for bcl-x _i and bcl-2, displaces bax and promotes cell death," <i>Cell</i> 1995 Jan;80:285-91
Examiner	
Date Considered	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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* Admitted in NY only
** Passed the Patent Bar Examination
*** Admitted in TX only

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Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application No.: 09/707,087
Methods for Modulating T Cell Survival by Modulating BCL-X_L Protein Level
Inventor: Carl H. June et al.
Filed: November 6, 2000
Our Ref.: No.: RPI-034CPCN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form 1449;
3. Copies of references cited in PTO Form 1449; and
4. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:	
<u>March 14, 2002</u>	Date
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Respectfully submitted,
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